

10-09-01



*Seaton*

63475/263

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Nathan Ellis, James German, and Joanna Groden

Serial No.: 09/753,143

Filed: January 2, 2001

For: METHODS FOR DIAGNOSIS AND TREATMENT  
OF BLOOM'S SYNDROME

**COMMUNICATION IN RESPONSE TO JUNE 6, 2001 NOTICE  
TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231  
Box: Missing Parts

Sir:

"Express Mail" mailing label No. EL613312975US

Date of Deposit: October 5, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Lisa M. Melanson

Signature: Lisa Melanson

The U.S. Patent and Trademark Office issued a Notice to File Missing Parts of Nonprovisional Application on June 6, 2001. In response to the Notice to File Missing Parts, applicants enclose the following:

1. a copy of the June 6, 2001 Notice to File Missing Parts of Nonprovisional Application (Exhibit A);
2. a Petition for a Two-Month Extension of Time (Exhibit B);
3. a substitute specification (Exhibit C);
4. substitute drawings (Exhibit D);
5. an Amendment in Response to June 6, 2001 Notice to File Missing Parts of Nonprovisional Application (Exhibit E);
6. pages 1-54 of the Sequence Listing filed in connection with U.S. Application No. 09/175,828 (Exhibit F);
7. Assertion of Entitlement to Small Entity Status Under 37 CFR §1.27 (Exhibit G);

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January 2, 2001

8. a check in the amount of \$635.00 to cover the \$370.00 basic filing fee, the \$65.00 surcharge fee, and the \$200.00 fee for a two-month extension of time, all for a small entity; and
9. a return receipt postcard.

A response to the June 6, 2001 Notice to File Missing Parts of Nonprovisional Application was due on August 6, 2001. With the two-month extension of time, the response is now due on October 6, 2001. Accordingly, this Communication is being timely filed.

No fee, other than the \$635.00 to cover the \$370.00 basic filing fee, the \$65.00 surcharge fee, and the \$200.00 fee for a two-month extension of time, all for a small entity, is deemed necessary in connection with the filing of this Communication. If any further fee is required, authorization is hereby given to charge any deficiency to Deposit Account No. 01-1785.

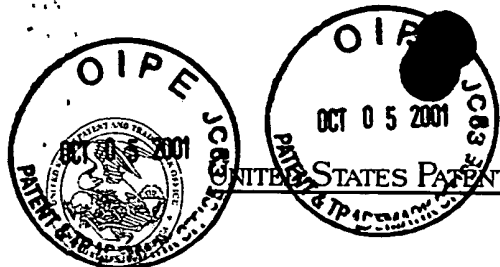
Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN  
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90 Park Avenue  
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(212) 697-5995

By

Craig J. Arnold  
Registration No. 34,287

Dated: October 5, 2001  
New York, New York



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/753,143	01/02/2001	Nathan Ellis	63475/263

CONFIRMATION NO. 1780

## FORMALITIES LETTER



\*OC00000006153162\*

AMSTER, ROTHSTEIN & EBENSTEIN  
90 Park Avenue  
New York, NY 10016

Date Mailed: 06/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

-07/17/2001 SHINASS1 00000027 09753143

FILED UNDER 37 CFR 1.53(b)

370.00 OP  
65.00 OP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3090.
  - \$1170 for 65 total claims over 20.
  - \$1920 for 24 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3930.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

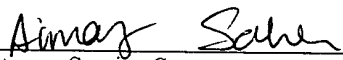
- drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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